

AMENDED

AMENDED

CIVIL RIGHTS COMPLAINT

(AMENDS ORIGINAL 5/4/2010)

42 U.S.C. § 1983

42 U.S.C. § 1985

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

FILED
CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
CV 10-203
(STF) (AKT)
★ JAN 18 2011 ★

Full name of plaintiff/prisoner ID#

ANTHONY J CEPARANO / 09A5302
Plaintiff,

JURY TRIAL DEMAND
YES X NO _____
LONG ISLAND OFFICE

-against-

SUFFOLK COUNTY, NY
ET AL (SEE ATTACHED
"DEFENDANT LIST")

Enter full names of defendants
[Make sure those listed above are
identical to those listed in Part III.]

Defendants.

-----X

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No X
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district;
if state court, name the county)

3. Docket Number: _____

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

FORMER

II. Place of ~~Prisoner~~ Confinement: SUFFOLK COUNTY CORRECTIONAL FACILITY
REGARDING SECTIONS 6-10, WHERE APPLICABLE *

A. Is there a prisoner grievance procedure in this institution? Yes () No (X) *

*"OFFICIALLY" - YES, BUT PRACTICALLY SPEAKING, THERE IS NOT.

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes (X) No (X) - FOR MOST ISSUES

C. If your answer is YES, (ON TWO)

1. What steps did you take? I MANAGED TO FILE

TWO ON ISSUES OF 9/11/2009

2. What was the result? THEY MAKE YOU SIGN FIRST

THEN WRITE THAT THEY "FIXED" THE COMPLAINT
WHEN THEY DIDN'T

D. If your answer is NO, explain why not NUMEROUS, MASSIVE OBSTACLES

TO FILING EXIST - INCLUDING NOT EXPLAINING PROCEDURE,
OR GIVING FORMS, SHORTENING FILING TIME FROM STATUTORY
21 DAYS TO 5, REFUSING TO TAKE FORMS, AND THREATS OF ASSAULT.

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes (X) No ()

F. If your answer is YES,

1. What steps did you take? ATTEMPTED TO ENLIST

THE HELP OF SGT'S, AND WROTE LT.

McCLURKIN ABOUT LAW LIBRARY ISSUES TWICE.

2. What was the result? GENERALLY - NO REPLY AT

ALL - OR WITH REWASH ("I'LL GET BACK TO YOU")

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff ANTHONY J CEPARANO / 09A5302

Address GOWANDA CORRECTIONAL FACILITY
P.O. BOX 311

GOWANDA, NY 14070-0311

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

SEE ATTACHED
"DEFENDANT LIST"

Defendant No. 2

Defendant No. 3

Defendant No. 4

Defendant No. 5

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

DEFENDANT LIST

NOTE: ALL BLANKS (EG. _____) ARE "JOHN DOES".

• "JOHN DOES" SPECIFIED BY NICKNAMES ARE IN QUOTES.

• ALL PEOPLE ARE SUED IN INDIVIDUAL AND OFFICIAL CAPACITIES.

• NUMBERED UNDERLINED ENTITIES ARE ALSO DEFENDANTS

1. SUFFOLK COUNTY, NY

100 VETERANS MEMORIAL HWY, P.O. BOX 6100, HAUPPAUGE, NY 11788

2. SUFFOLK COUNTY POLICE DEPARTMENT 30 YAPHANK AVE, YAPHANK, NY 11980

POLICE COMMISSIONER RICHARD DORMER

POLICE COMMISSIONER _____, FORMER 2003- _____

LT MICHAEL FITZPATRICK

P.O. KATHLEEN FOCAS / 1243

LT JAMES MAHER

P.O. ERIC GUITERMAN / 5824

LT PAUL SCHREIBER

LT STEPHEN HERNANDEZ

DET ANTHONY LETO

LT DANIEL MEYER

DET _____ BEHRENS

CAPT JOHN HANLEY

DET ROBERT SUPPA

DET WILLIAM SHERIDAN

LT JAMES SMITH

SGT _____ LEONARD

LT JAMES WALKER

P.O. CHRISTOPHER VIAR / 5512

SGT KEN _____

P.O. WALTER HETZEL / 5817

P.O.'S "JOHN DOE" #1-16

3. SUFFOLK CO. DIV. OF MEDICAL LEGAL INVESTIGATIONS & FORENSIC SCIENCES

MICHAEL LEHRER, CHIEF TOXICOLOGY • LORI ARENDT

MICHAEL KATZ, ASST CHIEF TOXICOLOGY • ROBERT GENNA

DEFENDANTS

(2)

CENTER FOR FORENSIC SCIENCES BLDG, 725 VETERANS MEMORIAL HWY
BLDG #487, NORTH COUNTY COMPLEX, HAUPPAUGE, NY 11787

4. SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

THOMAS SPOTA III, DISTRICT ATTORNEY
CHIEF MAJOR CRIME BUREAU 2007-2009

BRADFORD S MAGILL, A.D.A.,

PATRICIA BROSCO, A.D.A.,

SUFFOLK COUNTY DISTRICT ATTORNEY, 200 CENTER DR, RIVERHEAD 11901

5. SUFFOLK COUNTY SHERIFF'S DEPARTMENT

SHERIFF VINCENT DEMARCO

SHERIFF ALFRED E TISCH 11/2002 - 11/2006

WARDEN _____ EWALD

WARDEN _____ 8/2004 - 11/2006

LT ~~Mc~~ McCHURKIN

CO # 1139 C.O. _____ GALOTTI

SGT _____ FISCHER

CO # 1251 C.O. CATHY RYAN

C.O. KENNETH LAWLOR

CO # 1220 C.O. # 668

C.O. WILLIAM ZIK'S

CO # 1158 C.O. # 1259

C.O. JOSEPH FOTI

CO # 962 C.O. # 1241

C.O. _____ EZEKIEL

C.O. # 1324 C.O. # 1274

C.O. VIOLET _____

C.O. # 1094 C.O. # 1275

C.O. "TOM ARNOLD"

C.O. # 1131 C.O. # 1207

CORRECTIONS OFFICERS "JOHN DOE" 1-33

SHERIFF'S DEPUTIES "JOHN DOE" 1-10

SHERIFF'S DEPT, 100 CENTER DR, RIVERHEAD, NY 11901

DEFENDANTS
(3)

6. (THE MEDS CART NURSES) 100 CENTER DR, RIVERHEAD, NY 11901

NURSE "KOREA"

• NURSE JULIE "LOU"

NURSE PAT

• MALE NURSE "EARRING, GLASSES"

NURSE "UGLY WARTS, ALWAYS NASTY"

7. SUFFOLK COUNTY PROBATION DEPARTMENT

SENIOR SUPERVISOR _____ ON OR @ 1/18/2005

SENIOR P.O. _____ BENEDETTO

P.O. _____ CURTIS

P.O. "HERMAN MUENSTER", P.O. CURTIS PARTNER 3/2005

P.O. _____ SOLTAN

P.O. _____, P.O. SOLTAN'S PARTNER 12/2005

SUFFOLK CO PROBATION DEPT, 300 CENTER DR, RIVERHEAD, NY 11901

8. <DELETED>

9. ANDREW O'FLAHERTY

C/O BERGEN POINT SEWAGE PLANT, 600 BERGEN AVE, W. BABYLON, NY 11704

OR DET ANTHONY LETO HAS O'FLAHERTY'S ADDRESS

10. JULIE CRIST A.K.A. JULIE DOUGHERTY

C/O BERNADETTE CLOCH, 100 ROBINSON AVE, MIDDLETOWN, NY 11763

OR

C/O DANA ROMANO & SUFFOLK CO. INTENSIVE CASE MANAGEMENT

998 CROOKED HILL RD, BLDG 69, W. BRENTWOOD, NY 11717

DEFENDANTS
(4)

11. WEST BABYLON FIRE DEPARTMENT

SUPERVISOR _____ MINA, AEMT # 3-230404

EMT _____ McCLEAN, EMT # 237735

W. BABYLON FIRE DEPT, 153 W. MAIN ST, BABYLON, NY 11702

12. GOOD SAMARITAN HOSPITAL

D.R JEFFREY MARGULIES - E.R. 6/5/2007 *

D.R _____ - I.C.U 6/5/2007 *

*THE ONES WHO ALLOWED THE COPS TO TORTURE ME
INSTEAD OF ATTENDING TO MY CRITICAL INJURIES

NURSE "DO YOU WANT HIS CLOTHES?" 6/5/2007

NURSE "GO INTERROGATE HIM NOW" 6/5/2007

DONNA VENTURINI, LAB

ROB GANNON, LAB

BETH FEENEY, LAB

1000 MONTAUX HWY, W. ISHIP, 11795

13. SOUTHSIDE HOSPITAL

DR "JULIE CRIST'S E.R. DR" 6/5/2007 - 6/6/2007

DR _____, CHIEF PSYCHIATRY

301 E. MAIN ST, BAYSHORE, NY 11706

14. NEWSDAY

EDITOR JOHN MANCINI • MANAGING EDITOR DEBORAH HENLEY

MANAGING EDITOR DEBBY KRENEK • REPORTER BILL MASON

235 PINELAWN RD, MENEVILLE, NY 11747

DEFENDANTS
(5)

15. 1010 WINS RADIO

PROGRAMING DIRECTOR _____ 6/6/2007

REPORTER _____ 6/6/2007

888 SEVENTH AVE, 10TH FL, NEW YORK, NY 10106

16. CABLEVISION

PROGRAMING DIRECTOR _____ 6/6/2007

REPORTER _____ 6/6/2007

ONE MEDIA CROSSWAYS, WOODBURY, NY 11797

17. HOME PROPERTIES

SOUTHERN MEADOWS APARTMENTS

PROPERTY MANAGER ~~DEBRA~~ CODY

PROPERTY MANAGER? LAUREN? _____, ASST

MAINTENANCE SUPER, WILLIAM FLORIO

100 TERRACE RD, BAYPORT, NY 11705

18. SUFFOLK COUNTY INTENSIVE CASE MANAGEMENT

DOUGLAS SHELTERS, DIRECTOR

DANA ROMANO, CASE MANAGER

998 CROOKED HILL RD, BLDG 69, W. BRENTWOOD, NY 11717

19. OUTREACH DEVELOPMENT CORPORATION

KAREN O'BRIEN, DIRECTOR

JENNY _____, JULIE CRIST'S CASE MANAGER

11 FARBER DR, BELLEPORT 11713

DEFENDANTS
(6)

20. GLOBAL-TEL LINK

CEO _____ 2007-2009

MARGARET PHILLIPS, EXEC DIR BILLING & MARKETING

P.O BOX 3068, MOBILE, AL 36652-3068

21. MYSPACE.COM

8391 BEVERLY BLVD, #349, LOS ANGELES, CA 90048

22. MOTHER'S AGAINST DRUNK DRIVING (M.A.D.D.)

PRESIDENT _____ 2007-2009

33 WALT WHITMAN RD, STE LL7, HUNTINGTON STATION, NY 11746

23. SUFFOLK COUNTY LEGAL AID SOCIETY

EDWARD VITALE, ESQ

SUSAN AMBRO, ESQ

300 CENTER DR, RIVERHEAD, NY 11901

ROBERT MACEDONIO, ESQ (DISBARRED 18-B COUNSEL)

115 CARLETON AVE, CENTRAL ISLIP, NY 11722 (OFFICE)
(631) 474-3394 (HOME PHONE)

IV (AMENDED) STATEMENT OF CLAIM (ORIGINAL 5/4/2010)

THIS CIVIL RIGHTS COMPLAINT CONTAINS TWO MAIN FACETS:

- A. THAT CRIMINAL CHARGES REGARDING A 6/5/2007 AUTO ACCIDENT WERE FABRICATED AGAINST ME BECAUSE A FATALITY OCCURRED, AND I HAVE A CRIMINAL RECORD (DRUG POSSESSIONS).
- B. THAT FOR THE PERIOD OF TIME SPANNING 2003 TO 2009, SUFFOLK COUNTY, IT'S AGENCIES AND ENTITIES, EMPLOYEES, AND EVEN CIVIL CO-CONSPIRATORS THAT WERE DRAWN IN, CONTINUALLY PERPETRATED A "CONSPIRACY" TO DEPRIVE ME OF MY CIVIL RIGHTS IN ANY GIVEN SITUATION, BECAUSE I BELONG TO A "CLASS" (OR CLASSES) THEY FEEL ARE NOT ENTITLED TO EQUAL PROTECTION UNDER THE LAW. THE LABEL "CONSPIRACY" IS BUT ANOTHER WAY OF APPLYING THE CONTINUING VIOLATIONS RULE TO SHOW THAT A CONTINUING "PATTERN AND PRACTICE" OF THESE VIOLATIONS IS THE NORM, RATHER THAN THE EXCEPTION.

SUFFOLK COUNTY AND IT'S VARIOUS DEPARTMENTS AND AGENCIES (THE POLICE DEPT, SHERIFF'S DEPT, FORENSICS LAB, DISTRICT ATTORNEY'S OFFICE, PROBATION DEPT, AND DEPT OF HEALTH) HAVE BEEN ON NOTICE SINCE THE 1970'S THAT THEIR PRACTICES

CLAIM
(2)

ARE UNCONSTITUTIONAL, AND THAT THEIR EMPLOYEES CONTINUALLY VIOLATE CIVIL RIGHTS. THEY HAVE FAILED FOR FOUR DECADES TO PROPERLY TRAIN, SUPERVISE, AND ABOVE ALL DISCIPLINE THEIR EMPLOYEES. BECAUSE OF THIS, THEY HAVE CREATED AN ENVIRONMENT WHERE THOSE WITH BADGES OR THE LETTERS "D.A." IN THEIR TITLE, WIELD UNCHECKED POWER WHICH IS CONTINUALLY ABUSED BECAUSE THESE INDIVIDUALS KNOW THEY WILL NEVER BE QUESTIONED OR SCRUTINIZED FOR THEIR ACTIONS, MUCH LESS DISCIPLINED. SUFFOLK COUNTY DOES NOT TARGET IT'S OWN.

IT IS FOR THIS REASON THAT THESE ENTITIES ARE NAMED AS DEFENDANTS, ALONGSIDE THE INDIVIDUAL ACTORS. IT IS THE COUNTY'S JOB TO REIGN IN IT'S DEPARTMENTS, AND EACH DEPARTMENT'S JOB TO REIGN IN IT'S EMPLOYEES. (IE- SUFFOLK COUNTY DOESN'T TRAIN IT'S POLICE. THE SUFFOLK COUNTY POLICE DEPARTMENT TRAINS IT'S POLICE)

CONTRARY TO THE BELIEFS OF SOME, ACCORDING TO MONELL V DEPT. OF SOCIAL SERVICES OF THE CITY OF NEW YORK, 436 US 658 (1978), "DEPARTMENTS" ARE IN FACT CONSIDERED "PERSONS" DIRECTLY AMENABLE TO SUIT FOR THE PURPOSES OF §1983.

THERE IS NO WAY THAT THE COUNTY AND IT'S DEPARTMENTS ARE UNAWARE OF THE CONTINUAL PATTERN AND PRACTICE OF CIVIL RIGHTS VIOLATIONS,

CLAIM
(3)

SCATHING REPORT AFTER REPORT HAS OUTLINED
THE PROBLEMS AGAIN AND AGAIN:

1979 NATIONAL LAW JOURNAL REPORT

(SUFFOLK POLICE OFTEN USE FORCE TO INDUCE
DEFENDANTS TO CONFESS IN HOMICIDE CASES)

1980 SUFFOLK CO BAR ASSOCIATION REPORT

(SUFFOLK POLICE HAVE A BRUTALITY PROBLEM)

1989 STATE INVESTIGATION COMMISSION REPORT

(NEGLECT OF NOTE AND RECORD KEEPING
BY POLICE, FAILURE TO INVESTIGATE,
OVERRELIANCE ON CONFESSIONS AND
STATEMENTS, AN ATTITUDE OF 'DO WHAT
YOU'VE GOT TO TO ARREST AND CONVICT'

A DISTRICT ATTORNEY'S OFFICE MORE
CONCERNED WITH IT'S AND THE POLICE'S
MEDIA IMAGE THAN JUSTICE)

1985 COUNTY COURT JUDGE STUART NAMM

REQUESTING THE GOVERNOR APPOINT A

SPECIAL PROSECUTOR TO INVESTIGATE

CRIMINAL MISCONDUCT BY THE POLICE

AND DISTRICT ATTORNEY'S OFFICE IN

TWO HOMICIDE CASES TRIED BEFORE HIM,

1987 SUFFOLK COUNTY LEGISLATURE'S PUBLIC

SAFETY COMMITTEE REPORT FOUND

"SUBSTANTIAL, POSSIBLY CRIMINAL MIS-
CONDUCT BY IT'S POLICE AND DISTRICT
ATTORNEY'S OFFICE."

*** 100'S OF CIVIL RIGHTS LAWSUITS

CLAIM
(4)

YEAR AFTER YEAR AFTER YEAR OUTLINING EVERY COMPLAINT IMAGINABLE, OFTEN FOR THE SAME KINDS OF REPEATED ABUSES. YET NOTHING CHANGES...

A. THE 6/5/2007 AUTO ACCIDENT

FALSE	ON JUNE 5, 2007 AN AUTOMOBILE ACCIDENT OCCURRED.
ARREST	SADLY, SOMEONE DIED DUE TO A SERIES OF FREAK FACTORS
DUE	LINING UP TO RESULT IN THE FATALITY IN WHAT WAS A
PROCESS	25 MPH ACCIDENT. THE PRIMARY CAUSE WAS THAT MY
	PASSENGER, MY EX-GIRLFRIEND, WAS ATTEMPTING TO JUMP
	FROM OUR MOVING CAR TO COMMIT SUICIDE. SHE HAS A
MANICIOUS	LENGTHY MENTAL ILLNESS HISTORY, INCLUDING SEVERAL
PROSECUTION	INSTITUTIONALIZATIONS, A HISTORY OF DOING THE "CUTTING"
	THING, AND SUICIDE ATTEMPTS WHEN NOT ON HER
CIVIL	MEDICATION (WHICH SHE WAS NOT ON THAT DAY). SHE
CONSPIRACY	HAD JUST REVEALED, DAYS BEFORE, THAT SHE WAS BRUTALLY
§1983	RAPED IN OUR HOME 18 MONTH PRIOR, WHILE I WAS
§1985	AWAY FOR 10 DAYS. HALF HANGING OUT THE CAR,
	WITH HER LEG JAMMING HER DOOR OPEN, SHE THREW
POLICE	ME INTO REVERSE, AND GRABBED MY STEERING WHEEL.
BRUTALITY	I LOST CONTROL OF THE CAR, WE CROSSED THE CENTER
	MEDIAN, AND CRASHED HEAD-ON.

MEANWHILE, THROUGH ALL THIS INSANITY, A VIGILANTE NAMED ANDREW O'FLAHERTY, WITNESSING MY STRUGGLE WITH MY EX (JULIE CRIST A.K.A JULIE DOUGHERTY), AUTOMATICALLY ASSUMED WHAT HE WAS WITNESSING WAS AN ASSAULT ON HER. HE WAS TAILGATING ME IN HIS TRUCK, BLARING HIS HORN, IN AN UNAUTHOR-

CLAIM
(5)

IZED PURSUIT, ATTEMPTING TO PULL ME OVER. THIS, ALONG WITH JULIE'S JAMMING THE DOOR OPEN PREVENTED ME FROM PULLING OVER TO DEAL WITH HER.

THIS IS THE CAUSE OF THIS ACCIDENT - INTERFERENCE: JULIE'S INTERFERENCE IN THE CAR, AND O'FLAHERTY'S INTERFERENCE OUTSIDE THE CAR.

POLICE ARE SUPPOSED TO INVESTIGATE A SITUATION, AND THEN ASSESS THE EVIDENCE TO SEE WHAT CRIME, IF ANY, IT SUPPORTS. IN SUFFOLK COUNTY, THEY DO JUST THE OPPOSITE. THEY PICK A CHARGE THEY WANT TO PRESS, AND THEN MAKE THE EVIDENCE FIT THAT CHARGE, EVEN IF THAT INCLUDES OUTRIGHT FABRICATING IT. THAT IS EXACTLY WHAT HAPPENED HERE. WHEN POLICE FOUND ME, A CONVICTED (DRUG) FELON, INVOLVED IN A FATAL MOTOR VEHICLE ACCIDENT, DESPITE JULIE'S ADMISSIONS ON SCENE AND AT SOUTHSIDE HOSPITAL TO HER ACTIONS / CULPABILITY (SHE LATER CONFESSED TO THESE IN A SWORN DEPOSITION), THE POLICE KNEW THEY'D NEVER GET A CONVICTION ON A MENTALLY ILL RAPE VICTIM, SO THEY DECIDED IMMEDIATELY TO MAKE A DRUG RELATED CHARGE AGAINST A MAN WITH A DRUG RECORD.

FALSE
ARREST At 13:48, 26 MINUTES AFTER THE 13:22 ACCIDENT, I WAS ARRESTED, WITHOUT PROBABLE CAUSE FOR DRIVING UNDER THE INFLUENCE OF DRUGS, WITH THE POLICE INTENDING TO TURN THIS FREAK ACCIDENT INTO VEHICULAR MANSLAUGHTER.

CLAIM
(6)

THE POLICE'S OWN EVIDENCE DOCUMENTATION PROVES UNEQUIVOCALLY THAT I WAS ARRESTED WITHOUT ANY PROBABLE CAUSE WHATSOEVER, AND THAT THEY TAMPERED WITH A WITNESS TO MANUFACTURE IT AFTER THE FACT, POST ARREST, AFTER A WITCHHUNT TO SUPPORT A DRUG CAUSE CAME UP EMPTY:

- NO DRUGS OR PARAPHERNALIA WERE FOUND ON ME, ON JULIE, IN THE CAR (OR EVEN INSIDE ME DURING THE 3 ILLEGAL BODY CAVITY SEARCHES PERFORMED IN GOOD SAMARITAN HOSPITAL). WE MADE NO STATEMENTS CONCERNING DRUG USE ON SCENE. THE ARREST COMPLAINT IS COMPLETELY DEVOID OF ANY INDICATION OF DRUG IMPAIRMENT. IT SIMPLY STATES, "INVOLVED IN A FATAL M.V.A. WE TOOK A BLOOD SAMPLE." P.O. HETZEL SAYS NOTHING TO SUPPORT THE CHARGE. (HETZEL IS THE ARRESTING OFFICER)
- IN FACT, P.O. HETZEL'S ARREST WORKSHEET SAYS, "NO SIGNS OF DRUG USE" AND "DOES NOT USE LIQUOR."
- P.O. HETZEL'S ARRAIGNMENT COVERSHEET SUGGESTS THE D.A. SHOULD CONSIDER RECKLESS ENDANGERMENT IN THE GRAND JURY NOT VEHICULAR MANSLAUGHTER, WHICH WOULD GO WITH A CHARGE OF DRIVING IMPAIRED BY DRUGS.
- P.O. VIAR'S GRAND JURY TESTIMONY WAS THAT JULIE MADE TWO STATEMENTS ONLY ON SCENE:
"WE WERE IN AN ACCIDENT"
"I DON'T KNOW WHY"

CLAIM
(7)

- ACCORDING TO THE ARREST COMPLAINT, I AM ARRESTED AT 13:48¹¹ BASED ON THE SWORN DEPOSITION OF DOHERTY, JULIE¹¹. THE SWORN DEPOSITION OF DOHERTY, JULIE IS TIME STAMPED 15:24, MORE THAN 1½ HOURS LATER (AND IN REALITY WASNT SIGNED UNTIL JUNE 6TH, THE NEXT DAY - UNDER THREAT)

IN REALITY, I TOLD POLICE, AND ANDREW O'FLAHERTY (WHO'S STATEMENT REFLECTS THIS) OF JULIE'S SUICIDAL STATE, MENTAL ILLNESS HISTORY, AND HER GRABBING MY STEERING WHEEL. THEY HAD NO INTEREST IN THE TRUTH, MADE NO INVESTIGATION INTO IT, AND JUST THE OPPOSITE, DELIBERATELY BOKIED IT.

DET'S ANTHONY LETO AND ? BENRENS TAMPERED WITH WITNESS ANDREW O'FLAHERTY. THEY IGNORED HIS ROLE, AND HIS ORIGINAL STATEMENTS, AND FABRICATED A STATEMENT FOR HIM TO SIGN WHICH MADE MY DRIVING SOUND ERRATIC FOR MILES, RATHER THAN FOR JUST MOMENTS BEFORE THE CRASH.

P.O.'S VIAR AND GUTERMAN, AND HOMICIDE CHIEF FITZPATRICK, INTERVIEWED JULIE AT SOUTHSIDE HOSPITAL AN HOUR AFTER THE CRASH, WHERE SHE ADMITTED HER INTERFERENCE. THEY IGNORED THIS, AND DET FITZPATRICK RETURNED THE FOLLOWING DAY, MORE THAN 24 HOURS POST ARREST, WITH A FABRICATED STATEMENT THAT BECAME THEIR

CLAIM
(8)

ONLY CLAIMED PROBABLE CAUSE. JULIE SIGNED IT
IN FEAR, BEING SURROUNDED BY THE SAME PEOPLE
SHE WATCHED BRUTALIZE HER CRITICALLY INJURED
BOYFRIEND MINUTES AFTER THE ACCIDENT. IT IS
FULL OF CONTRADICTIONS, DOES NOT MEET EITHER
THE BASIS OR RELIABILITY PRONG OF THE AGUILAR-
SPINELLI TEST, AND JULIE RECANTED IT, IN WRITING,
AND CONFESSED TO CAUSING THE ACCIDENT WITH HER
INTERFERENCE IN THE SAME STATEMENT.

DET'S ROBERT SUPPA, JAMES MAHER, AND PAUL
SCHRIEBER INTERVIEWED ME AT GOOD SAMARITAN
EOR., HEARD THE SAME RECOUNTING OF EVENTS
THAT JULIE GAVE AT SOUTHSIDE, AND SIMILARLY
DISCARDED IT. THEY TOOK NO STATEMENT FROM ME.

LATER THAT EVENING, P.O. VIAR, SUPERVISED
BY SGT ? LEONARD, AND COACHED BY
A.D.A. BRADFORD S. MAGILL, COMMITTED PERJURY
UNDER OATH, AND LIED TO JUDGE GAETAN LOZITO,
IN A WARRANT APPLICATION TO TAKE MY BLOOD
FIVE HOURS AFTER ARREST BECAUSE THE TWO HOUR
"IMPLIED CONSENT" LIMITATION HAD EXPIRED. HE
CLAIMED JULIE ADMITTED "WE SMOKED A LOT OF CRACK"
ON SCENE - A DIRECT CONTRADICTION TO HIS FUTURE
GRAND JURY TESTIMONY.

DET WILLIAM SHERIDAN, ILLEGALLY SEARCHED
MY HOME THE FOLLOWING DAY IN AN ATTEMPT
TO SUPPORT PROBABLE CAUSE FOR THE PREVIOUS
DAYS ARREST, LOOKING FOR DRUGS. HE FOUND NONE.

CLAIM
(9)

NUMEROUS ACTS OF POLICE BRUTALITY, AND OTHER MIS-
POLICE CONDUCT OCCURRED ON 6/5/2007 AND 6/7/2007:

BRUTALITY

OTHER

MISCONDUCT

- P.O VIAR ARRIVED ON SCENE ONE MINUTE POST IMPACT. I HAD JUST PARTIALLY GONE THROUGH THE WINDSHIELD. MY FACE WAS COVERED IN BLOOD. MY LEG AND HIP WERE SHATTERED, AND WOULD REQUIRE EXTENSIVE SURGERY TO REBUILD. P.O VIAR DEMANDED IDENTIFICATION. WHEN I STATED MY NAME, BUT TOLD HIM I COULDN'T GET MY I.D FROM MY WALLET BECAUSE I KNEW MY LEG WAS BROKEN WAS BROKEN IN LIKE 3 PLACES, HE GRABBED MY BROKEN LEG/HIP AND YANKED ME AROUND THE CAR LIKE A RAG DOLL WHILE I SCREAMED IN AGONY TO FORCIBLY TAKE MY WALLET FROM MY BACK POCKET. I NEVER SAW MY WALLET, WITH MY I.D, BANK CARDS, AND \$30 OR \$40 AGAIN.
- P.O VIAR BENT MY CAR DOORS FORWARD, BREAKING THEM "TO ASSIST IN EXTRACTION"
- P.O VIAR TOLD E.M.T'S THAT I DESERVED NO MERCY BECAUSE "HE JUST KILLED SOMEONE." THEY WERE CRUEL AND SADISTIC WHEN I ASKED OF EVERYONE ELSE'S WELFARE, AND SLAMMED ME ON THE GURNEY LIKE A SLAB OF BEEF.
- P.O VIAR WAS TWISTING MY BROKEN LEG ON THE GURNEY AND PULLED IT OUT OF THE TRACTION. I HAD TO BE REMOVED FROM THE AMBULANCE SO IT COULD BE RESET PROPERLY.
- UPON ARRIVAL AT GOOD SAMARITAN E.R AT 14:18

CLAIM
(10)

DET'S MAHER, SCHRIEBER, AND SUPPA WOULD NOT LET THE DOCTORS ATTEND TO MY CRITICAL INJURIES FOR MORE THAN 30 MINUTES, WHILE THEY INTERROGATED ME ABOUT THE ACCIDENT.

- AN ILLEGAL BODY CAVITY SEARCH WAS PERFORMED THREE TIMES IN THE E.R., BY HOSPITAL PERSONNEL ON BEHALF OF POLICE BECAUSE THE DRUG WITHHOLD WAS FRUITLESS. I WAS LIFTED BY MY BROKEN LEG SO A VACUUM TUBE COULD BE SHOVED UP MY RECTUM - VERY ROUGHLY. (I HAD NOTHING.)
- MY PANTS WERE CUT OFF ME, AND I WAS STRIPPED NAKED IN THE E.R. DESPITE TESTIFYING THAT I WAS NOT UNDER ARREST (THOUGH A LIE) IN MY PRE-TRIAL HEARINGS, P.O. KATHLEEN FOCAS STOOD IN THE DOOR OF THE E.R, WATCHED ME STRIPPED, AND THEN TOOK ALL MY CLOTHES, WHEN OFFERED THEM BY SOME NURSE.
- DET ROBERT SUPPA TOOK PICTURES OF ME NAKED WHICH I RECEIVED IN PRE-TRIAL HEARINGS! THESE SUPPORT WHAT ELEMENT OF VTL 1192.4??! MY PENIS PROVES WHAT??! SO BLATANT IS SUFFOLK COUNTY MISCONDUCT, SUPPA TESTIFIED IN HEARINGS, AS DID FOCAS, TO THEIR ACTIONS, CLUELESS AS TO THEIR ABHORANT INAPPROPRIATENESS!
- POLICE TOOK EVERYTHING FROM JULIE AND I - OUR CLOTHES, SHOES, WALLET / POCKET BOOK, 2 CELL PHONES, AND MEDICATION. NO PROPERTY RECEIPTS WERE GIVEN. NO PROPERTY WAS EVER

CLAIM
(11)

RETURNED. JULIE WAS NEVER CHARGED WITH ANYTHING. THEY HAD NO LEGAL AUTHORITY TO TAKE ANYTHING FROM HER, DESPITE MY ARREST, SINCE WHEN DID STRIPPING A DEFENDANT NAKED AND RELEASING HIM THAT WAY BECOME S.O.P (I WAS RELEASED ON RECOGNIZANCE 6/7/2007 - WITHOUT MY CLOTHES OR PROPERTY. I CAME HOME FROM THE HOSPITAL NAKED, IN PAPER HOSPITAL SCRUBS, AND HAD NO KEYS TO ENTER MY HOME.) AGAIN, SO EXTENSIVE IS SUFFOLK COUNTY MISCONDUCT, P.O VIAR TESTIFIED HE TOOK OUR MEDICATION FROM JULIE, GAVE NO RECEIPT, AND NEVER RETURNED IT.

- I AWOK 6/7/2007 AFTER 2 DAYS IN A MEDICALLY INDUCED COMA, AND EXTENSIVE SURGERY TO REBUILD MY SHATTERED LEG AND HIP. CHAINED TO A BED, DET'S MAHER, SCHRIBER, AND SUPPA RESUMED THEIR INTERROGATION OF ME WHERE THEY LEFT OFF 6/5/2007. I WAS 5 MINUTES OUT OF ANESTHESIA. I WAS SO CONFUSED I THOUGHT IT WAS STILL 6/5/2007 - THE SAME DAY AS THE ACCIDENT. NO DOCTORS WERE THERE, AGAIN - JUST COPS. DET SCHRIBER TRIED TO TRICK ME INTO SIGNING A FALSE CONFESSION SKIPPED IN AMONGST THE DESK APPEARANCE TICKETS.

I CONTACTED LT STEPHEN HERNANDEZ AT INTERNAL AFFAIRS, TO FILE AN OFFICIAL COMPLAINT. INSTEAD, HE AND LT DANIEL MEYERS, RATHER THAN INVESTIGATE THEIR OFFICERS, INVESTIGATED ME OVER THE ACCIDENT

CLAIM
(12)

AND ALONG WITH CAPT JOHN HANLEY, AND P.O.'S WALTER HETZEL, KATHLEEN FOCAS, AND CHRISTOPHER VIAR, ENGAGED IN A COVER-UP OF THE POLICE BRUTALITY AND MISCONDUCT.

I RECEIVED A LETTER FROM CAPT HANLEY, NEARLY A YEAR LATER (POLICE BRUTALITY'S A REAL PRIORITY IN THE S.C.P.D.) THAT ESSENTIALLY SAID, "WE ASKED P.O VIAR IF HE DID ANYTHING WRONG. HE SAID NO, SO YOUR ACCUSATION IS UNFOUNDED. ALSO, SINCE WE CANT FIND YOUR WALLET, HE DIDNT TAKE THAT EITHER." WELCOME TO SUFFOLK COUNTY.

THE FORENSICS LAB

DUE DET SCHRIEBER ALSO SUBMITTED A WARRANT APPLICATION PROCESS DEVOID OF PROBABLE CAUSE TO SEIZE BLOOD THE HOSPITAL TOOK FOR SURGERY RELATED TESTING (MY MEDICAL NEEDS COULD WAIT AGAIN.) SO THE LAB HAD TWO BLOOD SAMPLES TO TEST:

THE "HOSPITAL BLOOD" - TAKEN 6/5/2007 AT 14:24

THE "BLOOD KIT BLOOD" - TAKEN 6/5/2007 AT 18:14

(REMEMBER - THE ACCIDENT WAS 13:22)

TOXICOLOGIST LORI ARENDT TESTED BOTH SAMPLES. ASSISTANT CHIEF OF TOXICOLOGY MICHAEL KATZ REVIEWED HER WORK, AND SIGNED OFF ON IT. BOTH BLOOD SAMPLES SHOWED "NO ETHANOL (ALCOHOL) DETECTED." BOTH SAMPLES SHOWED NO COCAINE PRESENT. THEY WERE IRREFUTIBLE PROOF THAT AT

CLAIM
(13)

THE TIME OF THE ACCIDENT, I WAS 100% SOBER -
NOT IMPAIRED IN ANY WAY BY ALCOHOL OR DRUGS.

BUT THE POLICE AND DISTRICT ATTORNEY'S OFFICE
WERE NOT INTERESTED IN PROVING INNOCENCE. THEY
WANTED A MURDER CONVICTION. A.D.A BRADFORD
S MAGILL WAS GIVEN 4 REPORTS (2 ALCOHOL, 2
DRUGS) PROVING, "THIS GUY WASNT IMPAIRED."

SOMEONE PRESSURED THE LAB TO RELEASE A
FALSE REPORT CLAIMING 12.8 TIMES THE LETHAL
LIMIT OF COCAINE CONCENTRATION - 64.4 MG/L
(MILLIGRAMS PER LITER) (FIVE MG/L IS FATAL!)

LORI ARENDT SIGNED THIS FALSE REPORT UNDER
PENALTY OF PERJURY, ASS'T CHIEF OF TOXICOLOGY

MICHAEL KATZ ~~REVIEWED IT~~ REVIEWED IT. THERE
IS NO WAY SUCH EVIDENCE TAMPERING INVOLVING

THE ASSISTANT CHIEF OF TOXICOLOGY MICHAEL KATZ
DID NOT ALSO INVOLVE CHIEF OF TOXICOLOGY MICHAEL
LEHRER. LORI ARENDT CERTAINLY DIDNT DO IT
ON HER OWN. THIS FALSE REPORT IS THE ONLY
REPORT THE GRAND JURY SAW.

TO COVER UP THIS MISCONDUCT WHEN CAUGHT
9 MONTHS LATER, THE LAB RELEASED AN "AMENDED"
REPORT CLAIMING A "TYPO" MISSTATED THE
"ACTUAL" RESULT OF 64.4 MCG/L (MICROGRAMS/L)
AS 64.4 MG/L. A MILLIGRAM IS $\frac{1}{1000}$ GRAM. A
MICROGRAM IS $\frac{1}{1,000,000}$ (THOUSANDTH VS MILLIONTH)
THE LAB CLAIMS OVERSTATED RESULTS BY 1000 TIMES
DUE TO A TYPO. WHICH IS WORSE - DELIBERATE

CHAIN
(14)

EVIDENCE TAMPERING, OR COMPLETE INCOMPETENCE??!

THE GRAND JURY PRESENTATION WAS 8/23/2007. ROBERT GENNA, THE CHIEF RECONSTRUCTION ANALYST FOR THE FORENSICS LAB, DID NOT RELEASE HIS "ACCIDENT RECONSTRUCTION" UNTIL 10/16/2007! HE DID NOT EXAMINE THE CARS UNTIL 9/6/2007 OR THE ACCIDENT SCENE UNTIL 9/12/2007. THE ACCIDENT WAS 6/5/2007 - THREE MONTHS EARLIER! WHAT COULD HE HAVE TESTIFIED TO IN THE GRAND JURY, HAVING NOT DONE HIS WORK? OR IF HE DIDN'T TESTIFY, HOW COULD THE GRAND JURY DO ITS JOB OF FACT FINDING WITHOUT CRUCIAL FACTS?

ROBERT GENNA'S ACCIDENT RECONSTRUCTION IS ANOTHER PIECE OF FABRICATED EVIDENCE DESIGNED TO BOLSTER A FALSE MANSLAUGHTER INDICTMENT. IT IS REplete WITH LIES THAT CONTRADICT THE POLICE'S EVIDENTIARY DOCUMENTS HE LISTS AS HIS RESOURCES. HE ALSO DRAWS COMPLETELY UNPROVEN CONCLUSIONS NOT BASED ON KNOWN FACTS.

FOR EXAMPLE, GENNA CLAIMS IN HIS REPORT THE CRASH OCCURRED 50 FEET FROM THE INTERSECTION, AND THAT THE IMPACT PUSHED THE VICTIM'S CAR BACK 61 FEET. THE MV-104A HE LISTS ON HIS REPORT STATES THE ACCIDENT OCCURRED TWENTY FEET FROM THE INTERSECTION. HE EMBELLISHED THE TRUTH BY 150%!

NEXT, GENNA CLAIMS A COMBINED IMPACT SPEED OF 64 MPH. INSTEAD OF SAYING BOTH CARS WERE DOING 32 MPH EACH, HE ATTRIBUTES 43 MPH TO ME,

CLAIM
(15)

AND ONLY 21 MPH TO THE OTHER DRIVER - WITH NOT ONE PIECE OF EVIDENCE TO BACK THIS CLAIM.

ROBERT GENNA'S ACCIDENT RECONSTRUCTION IS A DELIBERATE LIE, OFFERED TO THE COURT IN VIOLATION OF PENAL LAW 175.35, OFFERING A FALSE INSTRUMENT FOR FILING, TO SUSTAIN AN INDICTMENT GAINED BY FRAUD. AGAIN, WHICH IS WORSE - DELIBERATE EVIDENCE TAMPERING OR GROSS INCOMPETENCE?

THE DISTRICT ATTORNEY AND THE GRAND JURY

MALICIOUS PROSECUTION HER HONOR IS CORRECT THAT SINCE IMBLER V PACHTMAN, 424 US 409 (1976), DISTRICT ATTORNEYS ARE ABSOLUTELY IMMUNE FROM §1983 LIABILITY FOR THE DECISION TO PROSECUTE AND IN THEIR ROLE AS ADVOCATE IN THE PRESENTATION OF THE STATE'S CASE.

HOWEVER, SUBBORNING PERJURY AS A.D.A MAGILL DID IN P.O VIAR'S WARRANT APPLICATION HAS NOTHING TO DO WITH PRESENTING A CASE, AND IS NOT IMMUNE, NOR ARE DISTRICT ATTORNEY'S ABSOLUTELY IMMUNE FOR ACTIONS TAKEN IN THEIR INVESTIGATIVE AND ADMINISTRATIVE FUNCTIONS. IMBLER V PACHTMAN, 424 US AT 430.

- * NEITHER IS THE DISTRICT ATTORNEYS OFFICE
- * AS AN INSTITUTION, NOR THE HEADS AND SUPER-
- * VISORS OF THESE INSTITUTIONS, FOR FAILING
- * TO PROPERLY TRAIN, SUPERVISE, AND DISCIPLINE

CLAIM
(16)

THEIR PERSONNEL. IT IS FOR THIS REASON THAT
ALONGSIDE EVERY ENTITY NAMED AS A DEFENDANT,
ALSO NAMED IS THE HEAD OF IT, SUCH AS THE
DISTRICT ATTORNEY, THOMAS SPOTA III, OR
THE POLICE COMMISSIONER, RICHARD DORNER,
OR AN IMMEDIATE SUPERVISOR. YOU LET YOUR
PERSONNEL RUN RAMPANT - YOU ARE RESPONSIBLE

DISTRICT ATTORNEY BRADFORD S MAGILL UTTERLY
FAILED TO DO ANY INVESTIGATION WHATSOEVER INTO
THE POLICE'S CASE THAT WAS COMPLETELY RIDDLED
WITH OBVIOUS FALSEHOODS AND CONTRADICTIONS,
THE POLICE ANNOUNCED DRUNK DRIVING, BUT CHARGED
DRUGGED DRIVING. ALL THE EVIDENTIARY CONTRADICTIONS
("NO SIGNS OF DRUG USE") WERE PLAIN TO SEE.
WHEN THE LAB HANDED HIM FOUR REPORTS SHOW-
ING SOBRIETY (2 NO ALCOHOL, 2 NO COCAINE) FROM
ONE HOUR AND FIVE HOURS POST ACCIDENT, THIS
PROSECUTION SHOULD HAVE GROUND TO A HALT,
AND SOME SERIOUS QUESTIONS LIKE, "EXACTLY
WHAT THE HELL DID THIS MAN DO THAT'S SUPPOSED
TO BE CRIMINAL?" ASKED. JUST THE OPPOSITE,
A.D. A BRADFORD S MAGILL SET OUT TO CONDUCT
AN INQUISITION BEFORE THE GRAND JURY THAT
TURNUED THE POLICE'S FABRICATED (D) FELONY
VEHICULAR MANSLAUGHTER INTO HIS OWN FALSE
INDICTMENT FOR (C) FELONY MANSLAUGHTER.
THE POLICE PRESS RELEASE OF "DRUNK DRIVING"
HAD IT'S INTENDED EFFECT - TO POISON THE FUTURE

CLAIM
(17)

GRAND JURY POOL. A.D.A. MAGILL WITHHELD THE TWO NO ALCOHOL REPORTS, AND ASKED THE GRAND JURY TO INDICT FOR VTL 1192.3 - DRUNK DRIVING, KNOWING I WAS 100% ALCOHOL FREE! THEY DID!

TWO, HE DELIBERATELY POISONED THE GRAND JURY HIMSELF, OFFERING REPEATED HEARSAY TESTIMONY OF WITNESSES LIKE O'FLAHERTY, WHO WRONGLY BELIEVED I WAS ASSAULTING JULIE. MAGILL KNEW I WASNT BECAUSE JULIE HAD NO INJURIES, EVEN AFTER THE ACCIDENT, AND NEITHER HE NOR POLICE CHARGED ASSAULT. I WAS HUNG WITH JUST THESE TWO LIES ALONE, THE GRAND JURY WAS WRITING BLANK CHECKS BY NOW.

THREE, MUCH AS HE DID WITH THE TWO "NO ALCOHOL" REPORTS, A.D.A. MAGILL WITHHELD THE TWO "NO COCAINE" REPORTS, AND SHOWED THE GRAND JURY THE FALSE 12.8 TIMES LETHALITY FABRICATED COCAINE REPORT, AFTER DET ROBERT SUPPA'S HEARSAY REMARK, "I LEARNED THEY WERE DOING COCAINE EARLIER," PRIMED THE PUMP. MAGILL HAD FOUR TOXICOLOGY REPORTS PROVING NO ALCOHOL AND NO COCAINE AND THE ONLY ONE HE USED WAS A FABRICATED ONE CLAIMING ABSURD, IMPOSSIBLE COCAINE CONCENTRATIONS THAT WOULD KILL AN ELEPHANT!

FINALLY, FOURTH - THE FINAL INSULT: I WAS INDICTED FOR VTL 1192.4, DRIVING UNDER THE INFLUENCE OF DRUGS (COCAINE) AS A FELONY. I DO NOT HAVE ANY PRIOR ARREST, MUCH LESS CONVICTION, FOR ANY DRIVING UNDER THE INFLUENCE CHARGE. MAGILL LET THIS GRAND

BUT AS STATED, MAGILL WASN'T SATISFIED WITH JUST A FALSE VEHICULAR MANSLAUGHTER CHARGE, A (D) FELONY. HE LIED ONCE AGAIN, AND TOLD THE GRAND JURY THAT I WAS DELIBERATELY "DRIVING ON THE WRONG SIDE OF THE ROAD AT A HIGH RATE OF SPEED" TO GET TO MAN-SLAUGHTER, A (C) FELONY. THIS WAS A DIRECT CONTRADICTION TO SIX OF HIS OWN EVIDENTIARY DOCUMENTS, INCLUDING THE MV-104A, WITNESS STATEMENT OF ANDREW O'FLAHERTY, M.E. SUPPLEMENTAL CASE REPORT, POLICE PRESS RELEASE, INCIDENT REPORT CC#298340, AND CC#298340 - ALL OF WHICH SAID I CROSSED THE CENTER MEDIAN / CROSSED MOMENTS BEFORE THE CRASH.

TO RECAP, A.D.A. MAGILL'S INQUISITION TOLD THIS
GRAND JURY I WAS DRUNK, OVERDOSE HIGH TO AN
IMPOSSIBLE LEVEL, BEATING UP MY GIRLFRIEND, WHILE
DELIBERATELY SPEEDING ON THE WRONG SIDE OF THE
ROAD, AND THAT I'D DONE IT BEFORE, EVEN THOUGH
HE KNEW DAMN WELL NONE OF IT WAS TRUE. HE
FRAMED ME FROM THE GET-GO. THIS IS THE OFFICE
THOMAS SPOTA III RUNS? ANY WONDER I NAMED HIM
A DEFENDANT? HOW WAS MAGILL ALLOWED TO GET
AWAY WITH THIS?? VH HELLO? SUPERVISION??

MAGILL HAD JULIE'S CONFESSION OF 7/25/2007, ADMITTING
CAUSING THE ACCIDENT, COMPLETELY EXHONORATING ME,
BUT MADE SURE THE GRAND JURY NEVER HEARD
A WORD ABOUT THE TRUE CAUSE OF THE ACCIDENT.

CLAIM
(19)

DISTRICT ATTORNEY PATRICIA BROSCO ACTED EXACTLY AS MAGILL - GIVEN A PROSECUTION CLEARLY BUILT ON FRAUD, RATHER THAN INVESTIGATE AND UNCOVER THE TRUTH, SHE ENGAGED IN A COVER-UP TO HIDE THE MISCONDUCT. HER BILL OF PARTICULARS CLAIMS "I TURNED SOUTHBOUND INTO THE NORTHBOUND LANE" ON THE ROAD WHERE THE CRASH OCCURRED; I WAS NEVER IN THE RIGHT LANE.

TO HIDE THE TRUTH FROM THE COURT, AND PROOF FROM DEFENSE, A.D.A. BROSCO IGNORED TWO WRITTEN DEMANDS AND DOZENS OF ORAL DEMANDS FOR DISCOVERY FOR NEARLY TWO YEARS. COMPLYING WITH DISCOVERY HAS NOTHING TO DO WITH ~~DOING~~ PRESENTING THE STATE'S CASE AS ADVOCATE. IT IS AN ADMINISTRATIVE FUNCTION THAT INVOLVES COPYING AND DELIVERING DOCUMENTS OUT OF COURT.

WHILE KNOWING I WAS SOBER, DEFENSE COULD NOT PROVE IT BECAUSE POLICE NEVER ALLOWED ME TO GET A SAMPLE OF MY BLOOD FOR DEFENSE TESTING, AND BROSCO HID THE NO ALCOHOL/COCAINE REPORTS FOR 20 MONTHS - AND LIED TO THE COURT, ON THE RECORD WITH HER EXCUSE AS TO WHY, IN MY PRE-TRIAL HEARINGS.

BROSCO CLAIMED SHE DID NOT KNOW SUCH REPORTS EXISTED, AND ONLY RECEIVED THEM JANUARY 2009 AND PROMPTLY FAXED THEM TO DEFENSE 1/15/2009 RIGHT AFTER RECEIVING THEM. THIS DUMB FOOL

CLAIM
(20)

FAXED DEFENSE, ON 1/15/2009, REPORTS SHE CLAIMED SHE JUST GOT, THAT HAD FAX ENCODING (DATE STAMPS) FROM THE LAB ON JUNE 27, 2007 - 20 MONTHS EARLIER! UNEQUIVOCAL PROOF THE DISTRICT ATTORNEY'S, BOTH MAGILL AND BROSCO KNEW ALL ALONG I WAS SOBER. THEY COMMITTED FRAUD. HOW WAS THIS ALLOWED TO HAPPEN? BOTH THE INDIVIDUAL D.A'S AND THE DISTRICT ATTORNEY'S OFFICE ITSELF, DEFRAUDED THE COURT, AND THE PEOPLE OF SUFFOLK COUNTY TO FRAME A MAN THEY KNEW WAS INNOCENT, FROM DAY ONE - JUST AS POLICE D.I.D.

CIVIL CONSPIRACY UNDER SECTION 1983 AND SECTION 1985

HER HONOR STATES THAT PRIVATE DEFENDANTS CANNOT BE HELD LIABLE UNDER § 1983. NOTHING COULD BE FURTHER FROM THE TRUTH. HER HONOR ALSO IGNORES THE NOTATION OF 42 U.S.C. 1985 ON THE TITLE PAGE OF THE COMPLAINT AND CLEARLY DIDN'T BOTHER TO READ THE ACTUAL CLAIMS IN THE PRIVATE DEFENDANTS SECTION WHICH CLEARLY BRINGS § 1985 CLAIMS ALONGSIDE § 1983 CLAIMS.

AMERICAN BROADCASTING COMPANIES, INC V CUOMO, 570 F2d 1080, 1083 (2ND CIR 1977) "AN ORDINARY CITIZEN WHO CONSPIRES WITH A STATE AGENT TO VIOLATE CIVIL RIGHTS OF A PLAINTIFF IS EQUALLY LIABLE, AND THIS AMOUNTS TO A CONSPIRACY BASED ON STATE ACTION..." § 1983 LIABILITY EXISTS. HAMPION V HANRAHAN, 600 F2d 600, 623 (7TH CIR 1979)

CLAIM
(21)

"THE STATE OFFICIALS PROVIDE THE REQUISITE ACTION TO MAKE THE ENTIRE CONSPIRACY ACTIONABLE UNDER §1983 000 WHEN THE VIOLATION IS THE JOINT PRODUCT OF THE EXERCISE OF A STATE POWER AND A NON-STATE POWER, THEN THE TEST UNDER THE 14TH AMENDMENT AND §1983 IS WHETHER A STATE OR IT'S OFFICIALS PLAYED A SIGNIFICANT ROLE IN THE RESULT." (QUOTING KLETSCHKA V DRIVER, 411 F.2d 436, 449 (2ND CIR 1969.))

PANAYOTIDES V RABENOLD, 35 F.SUPP.2d 411, 419 (ED. TENN 1999) AFFD 210 F.3d 358 (3RD CIR 2000) "A PRIVATE INDIVIDUAL CAN BECOME A STATE ACTOR FOR THE PURPOSES OF §1983 CONSPIRACY LIABILITY IF HE IS A WILLFUL PARTICIPANT IN JOINT ACTIVITY WITH THE STATE OR IT'S AGENTS."

ABDELJALIL V CITY OF FORT WORTH, 55 F.SUPP.2d 614, 622 (N.D. TEXAS 1999) AFFD 234 F.3d 28 (5TH CIR 2000)

TO PROVE A CLAIM OF CONSPIRACY BETWEEN A STATE ACTOR AND A PRIVATE CITIZEN PURSUANT TO §1983, PLAINTIFF MUST DEMONSTRATE THAT THE DEFENDANTS DEPRIVED HER OF A RIGHT SECURED BY THE CONSTITUTION AND LAWS OF THE U.S., AND THAT AT LEAST ONE OF THE DEFENDANTS ACTED UNDER THE COLOR OF STATE LAW."

AS FOR SECTION 1985(2) OBSTRUCTING JUSTICE :
"TO DETER BY FORCE, INTIMIDATION, OR THREAT, ANY WITNESS IN ANY COURT OF THE UNITED STATES FROM TESTIFYING TO ANY MATTER PENDING". §1985 DOES NOT REQUIRE "STATE" ACTION."

CLAIM
(22)A WORD ON MANAGEMENT AND SUPERVISORY DEFENDANTSCIVIL
CONSPIRACY

§1983

§1985

NAMED IN THE CAPTION - SIMILAR TO THE "TRAIN, SUPER-
VISE, AND DISCIPLINE" THEME ON PAGE 15 OF THE CLAIM,
THE PRIVATE DEFENDANTS LISTED BELOW DID NOT
ACT INDEPENDENT OF THE AUTHORITY OF THEIR
RESPECTIVE ORGANIZATIONS. FOR EXAMPLE, NEWSDAY
REPORTER BILL MASON DIDN'T SAY, "HERE, PRINT THIS,"
WITH NO REVIEW. IT WAS SUBMITTED TO MANAGING
EDITORS, WHO THEMSELVES REQUIRED FINAL APPROVAL
OF THE CHIEF EDITOR, WHO SIGNED OFF IN ACCORD-
ANCE WITH NEWSDAY POLICY. LEST MY WORDS BE
LABELED "DIATRIBE" AGAIN, I WILL FORGO ART-
ICULATING A CHAIN OF EVENTS LIABILITY IN EACH
INSTANCE. THE LIABILITY TO EACH LAYER OF MANAGE-
MENT IS OBVIOUS AND INHERENT IN EACH CLAIM.
THE RANK AND FILE ACTED ON AUTHORITY OF,
OR DIRECT ORDERS, FROM ABOVE. THERE IS YOUR
"PERSONAL INVOLVEMENT" ON TOP OF MONELL
STYLE LIABILITY.

THE PRIVATE DEFENDANTS

§1983

ANDREW O'FLAHERTY (GROUP #9)

ANDREW O'FLAHERTY SAW THE STRUGGLE IN THE CAR AND
WRONGLY ASSUMED THAT MY TRYING TO PREVENT JULIE
FROM HURTING HERSELF, WAS INSTEAD ME ASSAULTING
HER. AS A PRIVATE, NON-LAW ENFORCEMENT OFFICER,
IT WAS LEGALLY PERMISSIBLE FOR HIM TO DIAL 911

CLAIM
(23)

AND FOLLOW AT A SAFE DISTANCE TO ASSIST POLICE TO INTERVIEW.

INSTEAD, WHILE HIS PASSENGER CALLED POLICE, AND GAVE RUNNING COMMENTARY SPANNING ALMOST OUR ENTIRE ROUTE, AND DURING AND AFTER THE CRASH, O'FLAHERTY ENGAGED IN AN AGGRESSIVE, UNAUTHORIZED PURSUIT, TAILGATING ME, BLOWING HIS HORN, AND ATTEMPTING TO PULL ME OVER LIKE A VIGILANTE, IN HIS TRUCK. (I HAD A HYUNDAI)

THREE TIMES, I SLOWED / STOPPED ON ARTHUR AVE TO TRY TO CALM JULIE, GET HER FULLY IN THE CAR, AND CLOSE HER DOOR. THREE TIMES HE ALMOST REAR-ENDED ME AS HE BLASTED HIS HORN. HE PREVENTED ME FROM STOPPING MORE THAN JULIE'S OPEN DOOR (SHE KEPT OPENING THE DOOR TO JUMP.)

SUFFOLK POLICE REVISED THEIR PURSUIT POLICY IN LIGHT OF SEVERAL FATALITIES OCCURRING IN POLICE PURSUITS IN SUFFOLK COUNTY 2005-2007, AND THESE ARE TRAINED PROFESSIONALS. O'FLAHERTY WAS ON THE PHONE WITH POLICE, TELLING THEM OF HIS PURSUIT, WITH THEM HEARING HIS ENGINE REVVING, AND HORN BLARING. THEY SHOULD'VE TOLD HIM TO BACK OFF! AWARE OF HIS ACTIONS, SUFFOLK POLICE TACITLY CONDONED THIS UNTRAINED CIVILIAN'S UNAUTHORIZED AGGRESSIVE PURSUIT, WHICH EVENTUALLY EVOLVED FROM ME AT FIRST JUST TRYING TO CLEAR OUT OF HIS WAY TO FLIGHT IN FEAR WHEN I REALIZED HE WAS TRYING TO ATTACK ME.

CLAIM
(24)

THE ADDED DISTRACTION O'FLAHERTY CAUSED ON TOP OF THE INSANITY JULIE CREATED WAS BAD ENOUGH (THE HORN BLOWING), BUT HIS AGGRESSIVE TAILGATING AS MUCH CAUSED THE ACCIDENT AS JULIE GRABBING MY WHEEL AND THROWING ME INTO REVERSE DID. IN TUTTAMI V COUNTY OF SUFFOLK, 10 NY 3d 906, 907 (2008), THE COURT OF APPEALS RULED THAT CONTACT WITH ANOTHER CAR IS NOT NECESSARY TO ESTABLISH LIABILITY FOR AN ACCIDENT. ALL THAT IS NECESSARY IS THAT THE ACTOR'S NEGLIGENT CONDUCT SET INTO MOTION A CHAIN OF EVENTS, AN EMINENTLY FORSEEABLE ONE, THAT RESULTS IN A COLLISION. THIS IS EXACTLY WHAT O'FLAHERTY DID. WE HAVE TAILGATING/ROAD RAGE LAWS FOR A REASON. HE WAS SO CRAZED, THAT POST CRASH, DESPITE MY CRITICAL INJURIES, HE TRIED TO RIP ME OUT OF THE CAR, AND DID TAKE MY KEYS - EVEN WITH POLICE PRESENT BY THEN!

THEN O'FLAHERTY WENT AND COMMITTED PERJURY, SIGNING A SWORN STATEMENT, WRITTEN BY DET ANTHONY LETO THAT:

- A) TOTALLY MINIMIZED HIS OWN RECKLESS ACTIONS
- B) COMPLETELY MAGNIFIED HIS DESCRIPTION OF MY DRIVING IN HIS ORIGINAL COMMENTS TO LETO BY MANY LEVELS TO SEVERELY EXAGGERATE THE DURATION AND INTENSITY OF MY ERRATIC DRIVING, WHILE OBSCURING JULIE'S INTERFERENCE. HE CONSPIRED WITH

CLAIM
(25)

WITH POLICE TO SUPPORT FALSE FELONY CHARGES. *

* IT IS ALSO MY BELIEF THAT O'FLAHERTY NOT ONLY TESTIFIED IN ACCORDANCE WITH HIS FALSE STATEMENT BEFORE THE GRAND JURY, BUT ALSO, AT THE ENCOURAGEMENT OF A.D.A. MAGILL, REPEATED HIS FALSE BELIEF THAT I WAS ASSAULTING JULIE, WITH MAGILL SUBBORNING THIS PERJURY, NEVER TELLING O'FLAHERTY NO ASSAULT TOOK PLACE. (ACTUALLY O'FLAHERTY SAW JULIE POST CRASH, WITH NO INJURIES, AND KNEW NO ASSAULT TOOK PLACE.)

§1983 JULIE CRIST A.K.A. JULIE DOUGHERTY (GROUP #10)

JULIE DIRECTLY CAUSED THE ACCIDENT. HAD SHE NOT GRABBED MY STEERING WHEEL AND THEN THROWN ME INTO REVERSE, SIMULTANEOUSLY, NO ACCIDENT WOULD'VE OCCURRED. SHE KNOWS THIS. SHE EVENTUALLY SIGNED A CONFESSION, ON 7/25/2007 ADMITTING HER ACTIONS.

SAVING HERSELF AT MY EXPENSE - 6/6/2007

POLICE MADE IT CLEAR TO JULIE THAT THEY SOUGHT TO PIN THE ACCIDENT ON ME, DESPITE KNOWING IT WAS HER FAULT, WHEN LT FITZPATRICK THRUST A FALSE STATEMENT BEFORE JULIE THE DAY FOLLOWING THE ARREST, DESPITE NOT BEING ABLE TO READ IT BECAUSE POLICE TOOK HER POCKETBOOK GLASSES THE DAY BEFORE, AND BECAUSE SHE HAS

CLAIM
(26)

DYSLEXIA, AND READS ON A THIRD GRADE LEVEL, JULIE SIGNED IT. THOUGH SHE DIDN'T KNOW IT'S CONTENTS, SHE KNEW IT WOULD HANG ME, AND BY SIGNING IT, SHE CONSPIRED WITH POLICE TO SUPPORT WHAT WOULD BECOME FALSE FELONY CHARGES. WHILE I EMPATHIZE WITH HER FEARS (HER RECATATION SAYS SHE FEARED POLICE WOULD HURT HER THE SAME WAY THEY HURT ME - VIA WAS THERE) SHE HAD NO RIGHT TO SAVE HERSELF BY HELPING FITZPATRICK AND COMPANY FRAME ME.

STEALING MY ATTORNEY FUND AND OTHER ASSETS
ON TOP OF CAUSING WHAT I ESTIMATE TO BE \$7,000 DAMAGE TO MY NEW CAR, JULIE STOLE \$2,000 FROM MY BANK ACCOUNT I TOLD HER I NEEDED FOR AN ATTORNEY, ALONG WITH A COMBINED \$2-3,000 IN PROPERTY. THEN SHE CONNED ME INTO MOVING "OUR" PROPERTY AT MY EXPENSE, TO STORAGE, AT MY EXPENSE, AND THEN ABANDONED THE UNIT. TO THIS DAY, I AM PAYING, FOR 3 YEARS, TO HOUSE HER STUFF, SO AS TO NOT LOSE MINE. SHE COMPLETELY UNDERMINED MY DEFENSE FINANCIALLY, WHICH GOES RIGHT INTO HER FINAL ACT...

SAVING HERSELF YET AGAIN

JULIE NEVER TOLD ME OF THE FALSE STATEMENT SHE SIGNED 6/6/2007. I DID NOT LEARN OF IT UNTIL MY 7/25/2007 ARRAIGNMENT. SHE COULD

CLAIM
(27)

NOT LOOK ME IN THE FACE. OVERCOME WITH GUILT, SHE MADE HER SWORN CONFESSION TO CAUSING THE ACCIDENT 7/25/2007, TO MY FIRST ATTORNEY. THIS STATEMENT COMPLETELY RECENTED THE FALSE 6/6/2007 ONE AFTER SHE LEARNED IT'S CONTENTS, COMPLETELY EXHONORATED ME, AND PLACED THE BLAME SQUARELY ON HERSELF.

AS LONG AS I FACED ONLY A MISDEMEANOR CHARGE THAT HAD NO BEARING ON HER, JULIE WAS WILLING TO TESTIFY. BUT AS SOON AS I WAS INDICTED FOR MANSLAUGHTER, ALL HER THERAPY DALS AND COUNSELORS TOLD HER THAT IF SHE KEPT TELLING THE TRUTH, AND TESTIFIED, SHE'D GO TO PRISON INSTEAD OF ME. THEY GAVE HER THE PERFECT EXCUSE, AND JULIE LET ME TAKE THE FALL FOR HER CRIME, AGAIN. AIN'T LOVE GRAND? DO YOU KNOW HOW MANY PEOPLE HAVE SAID TO ME, "YOU SHOULD'VE LET HER COMMIT SUICIDE?"

§1983 WEST BABYLON FIRE DEPT. / E.M.T.'S (GROUP #11)

E.M.T.'S, LIKE POLICE, AUTOMATICALLY ASSUMED THE ACCIDENT WAS MY FAULT, AND FELT THIS GAVE THEM THE RIGHT TO TREAT ME CRUELLY AND SADISTICALLY BOTH EMOTIONALLY AND PHYSICALLY. THEY EFFECTED AN UNREASONABLE SEIZURE WITH POLICE BY USING EXCESSIVE FORCE. POLICE TOLD THEM THIS WAS OK.

EMT McCLEAN SLAPPED A CERVICAL COLLAR AROUND MY NECK WITH ONE HAND. WHEN I INQUIRED OF THE

CLAIM
(28)

WELFARE OF "THE PEOPLE IN THE OTHER CAR",
McCLEAN SAID, "OH HER? YOU FUCKIN KILLED HER."
THEY REFERRED TO ME AS "THIS ASSHOLE" THE
ENTIRE TIME. (THEY BEING McCLEAN & MINA)

WHEN I WAS REMOVED FROM THE CAR, I WAS
YANKED OUT AND SLAMMED ON THE STRETCHER
LIKE MEAT. NO EFFORT WAS MADE TO STABILIZE
MY SHATTERED LEG/HIP DURING EXTRACTION.

ONCE ON THE STRETCHER, E.M.T'S WATCHED
P.O VIAR TORTURE ME, AND DID NOTHING TO
PROTECT THEIR PATIENT. PERHAPS THEY JOINED
HIM. SOMEONE WAS TWISTING MY LEG, EVEN
AFTER VIAR COULD NOT BE SEEN.

SCREAMING IN AGONY AS MY LEG WAS REBRACED,
AN EMT TOLD ME, "SHUT THE FUCK UP. YOU JUST
KILLED SOMEONE." THEN A MASK WAS JAMMED
ON MY FACE DESPITE MY PLEAS I COULDN'T BREATHE.

§1983 GOOD SAMARITAN HOSPITAL (GROUP #12)

I WAS RECEIVED AT GOOD SAMARITAN HOSPITAL
E.R. AT 14:18. I WAS IN CRITICAL CONDITION.
I HAD HEAD TRAUMA, AND A FACE FULL OF
BLOOD. I HAD AN "OBVIOUS BROKEN FEMUR"
AND A SHATTERED HIP, WHICH WOULD REQUIRE
EXTENSIVE SURGERY TO REBUILD WITH TITANIUM.
I EVENTUALLY HAD RESPIRATORY FAILURE.
I SPENT TWO WEEKS IN INTENSIVE CARE ON
MORPHINE. ANY IDIOT COULD SEE I NEEDED URGENT

CLAIM
(29)

IMMEDIATE TREATMENT! INSTEAD, GOOD SAMARITAN PERSONNEL NOT ONLY DELAYED MY TREATMENT FOR ~~FOR~~ A HALF HOUR, UNTIL I WAS FINALLY ANESTHETIZED AT 14:45, SO POLICE COULD INTERROGATE ME, THEY ASSISTED POLICE IN BRUTALLY TORTURING ME FURTHER, AND SEIZING MY PROPERTY (AND DIGNITY), EFFECTING AN UNREASONABLE SEARCH AND SEIZURE OF BOTH MY PERSON AND PROPERTY.

INTERROGATION #1 - IMMEDIATELY AFTER TRANSFER FROM THE AMBULANCE STRETCHER TO A TRAUMA BED, I WAS SURROUNDED BY COPS (DET'S MAHER, SCHRIBER, ^{PO'S} FOCAS, AND VASQUEZ). NO DOCTOR TOUCHED ME WHILE I WAS INTERROGATED FROM 14:18 TO 14:25.

HUMILIATION - SUDDENLY, THE DETECTIVES STOPPED BACK, AND MY PANTS WERE CUT OFF ME, NAKED BELOW THE WAIST (I WASN'T WEARING UNDERWEAR), IN FRONT OF AT LEAST FIVE POLICE (THE 4 ABOVE PLUS DET SUPPA), HOSPITAL PERSONNEL MADE NO EFFORT TO COVER / SHIELD ME, OR REMOVE FEMALE OFFICER KATHLEEN FOCAS FROM THE ROOM.

THE THREE ILLEGAL BODY CAVITY SEARCHES - AFTER STRIPPING ME, AT 14:25 A VACUUM TUBE WAS ROUGHLY RAMMED IN MY RECTUM. I WAS LIFTED BY BOTH LEGS (INCLUDING THE BROKEN ONE, ATTACHED TO A BROKEN HIP) FOR THIS. I SCREAMED BLOODY MURDER. I WAS HIT WITH 6 MG MORPHINE. THEY DID IT AGAIN! SAME SCREAMS. 4 MG MORPHINE. THEY DID IT A THIRD TIME. GOOD SAMARITAN

CLAIM
(30)

ILLEGALLY SEARCHED ME FOR DRUGS FOR POLICE,
BRUTALLY TORTURING ME IN THE PROCESS.

CONSPIRING TO TAKE MY CLOTHES - SOME F.R. NURSE WAS SCURRYING AROUND, COLLECTING MY CLOTHES. WITHOUT BEING ASKED, SHE BAGGED THEM AND OFFERED THEM TO P.O. KATHLEEN FOCAS. WHAT THE HELL WAS I SUPPOSED TO WEAR HOME? I HAD NO CLOTHES TO GO HOME IN THANKS TO THIS NURSE. POLICE KEPT MY CLOTHES, EVEN AFTER I WAS "RELEASED ON RECOGNIZANCE" (INCLUDING MY SHOES), THANKS TO THIS NURSE.

INTERROGATION #2 - DET ROBERT SUPPA HAD TOLD A NURSE THAT HE TOO WANTED TO INTERROGATE ME AFTER DET'S MAHER AND SCHRIEBER. A HELPFUL LITTLE BEE, SHE RAN AND TOLD SUPPA TO "GO IN NOW BECAUSE HE WILL BE SEDATED SOON." THIS NURSE DECIDED MY TREATMENT COULD BE DELAYED FURTHER, AS FIRST SUPPA, AND THEN MAHER AND SCHRIEBER, INTERROGATED ME MORE FROM 14:28 TO 14:45 WHEN FINALLY I HEARD A DOCTOR SAY, "THAT'S IT. I'M PUTTING HIM OUT," WHICH SHOULD'VE BEEN DONE A HALF HOUR EARLIER. MY WORLD WENT BLACK.

FAILURE TO COLLECT PERSONAL INFORMATION AND GET CONSENT FOR SURGERY - BY NOW, THE HOSPITAL HAD A NAKED, UNCONSCIOUS "JOHN DOE". SINCE P.O. VIAR TOOK MY I.D., AND ALL POSSESSIONS, POLICE MISPELLED MY NAME, WHICH APPEARS WRONG ON ALL HOSPITAL FORMS, AND HOSPITAL PERSONNEL

CLAIM
(31)

LET POLICE RUN THE SHOW BEFORE MY SEDATION, THEY HAD NO REAL MEDICAL HISTORY, NO SIGNED CONSENT FOR SURGERY, AND NO CONTACT INFORMATION FOR MY FAMILY.

THE SURGERY I NEEDED TO SAVE MY LEG HAD TO WAIT UNTIL THE NEXT DAY BECAUSE GOOD SAMARITAN HOSPITAL WAS TOO BUSY CONSPIRING WITH POLICE, HELPING THEM INVESTIGATE ME, TO FOLLOW PROPER MEDICAL PROCEDURE AND FOCUS ON MY MEDICAL NEEDS / WELFARE. IT WAS ONLY PURE LUCK THAT MY FAMILY SAW THE PRESS COVERAGE, CALLED THE HOSPITAL, AND AUTHORIZED THE SURGERY.

ENDANGERING MY LIFE FURTHER - JUST AFTER THE 14:45 SEDATION, I APPARENTLY HAD RESPIRATORY FAILURE, AND HAD TO BE INTUBATED. COPS WERE STILL EVERYWHERE BECAUSE THE HOSPITAL STILL DIDN'T CLEAR THE E.R. WHAT IF I HAD CARDIAC ARREST? HOW MANY COPS WOULD THEY TRIP OVER BEFORE GETTING A CRASH CART TO ME?

MORE HUMILIATION - HOW DO I KNOW THIS? BECAUSE AS I WAS BEING INTUBATED, DET SUPPA WHIPPED OUT A CAMERA, AND TOOK PICTURES, WHICH INCLUDED MY NAKED LOWER BODY. I HAVE THE PICTURES - A GIFT IN PRE-TRIAL HEARINGS. THE HOSPITAL ALLOWED THIS!

ENDANGERING MY LIFE FURTHER STILL - SEEMS THE HOSPITAL MANAGED TO SQUEEK IN AN ACT OR TWO OF MEDICINE IN BETWEEN COPS' ACTIONS, AT 14:24

CLAIM
(32)

AN IV TAP WAS DONE, AND SOME BLOOD DRAWN FOR PRE-SURGICAL TESTING. AN HOUR LATER, DET SCHRIEBER CALLED THE LAB, STATING HIS INTENTION TO GET A WARRANT TO SEIZE THAT, AND SOME 14:56 BLOOD. DONNA VENTURINI, WITH APPROVAL OF SUPERVISOR ROB GANNON, DECIDED I COULD GO TO HELL, DIDN'T NEED BLOOD WORK DONE FOR SURGERY, AND OFFERED TO PRESERVE AND HOLD THE BLOOD FOR SCHRIEBER, THOUGH NO WARRANT EXISTED (AND WOULDN'T FOR MORE THAN 24 HOURS - UNTIL AFTER MY SURGERY THE FOLLOWING DAY). A BOTH FEENEY DELIVERED MY BLOOD TO SCHRIEBER 6/6/2007. WHAT DID THEY TEST FOR SURGERY? ANOTHER DELAY IN TREATMENT.

THIS IS WHAT DR JEFFREY MARGULIES ALLOWED TO HAPPEN IN HIS E.R. ON 6/5/2007. HE AND THE REST OF HIS PERSONNEL WERE FOCUSED ON CONSPIRING WITH POLICE IN THEIR WITCHHUNT, NOT TREATING ME. THEY HELPED POLICE TORTURE AND HUMILIATE ME, AT GREAT RISK TO MY LIFE.

INTEROGATION #3 - I AWOKES AFTER A 2 DAY COMA, AND SURGERY, CHAINED TO THE BED. INSTEAD OF AN I.C.U DOCTOR ATTENDING ME - MAHER, SCHRIEBER, AND SUPPA BEGAN INTEROGATING ME AGAIN NOT 5 MINUTES OUT OF ANESTHESIA! SCHRIEBER TRIED TO SKIP ME A FALSE CONFESSION TO SIGN. AGAIN - NO PROTECTION FROM ANY HOSPITAL PERSONNEL,

CLAIM
(33)SOUTHSIDE HOSPITAL (GROUP #13)

§1983

JULIE HAS A LONG HISTORY OF CYCLICAL MENTAL ILLNESS, IT IS WELL KNOWN IN THESE HOSPITALS, IN FACT, JULIE WAS IN SOUTHSIDE E.R., TRYING TO GET ADMITTED TO IT'S PSYCH WARD JUST WEEKS BEFORE THE ACCIDENT. SHE HAD A (POST TRAUMATIC STRESS) FLASHBACK IN THE AMBULANCE WHILE BEING TRANSPORTED FROM THE CRASH SCENE. (CYCLICAL MEANS OK FOR 3 MONTHS, ILL FOR 3 MONTHS.)

AS SUCH, KNOWING HER PSYCHIATRIC STATUS FULL WELL, THE SOUTHSIDE E.R DOCTOR AND THE CHIEF OF PSYCHIATRY SHOULD'VE PROTECTED HER. SHE SHOULD'VE BEEN IN THE PSYCH WARD UNDER OBSERVATION, OR AT LEAST, HAD A PSYCHIATRIC GUARDIAN PRESENT, POST ACCIDENT TRAUMA.

INSTEAD, SOUTHSIDE LET A CROWD OF COPS SURROUND AND INTIMIDATE JULIE, ON BOTH 6/5/2007, AND 6/6/2007 WHEN SHE SIGNED THE FALSE STATEMENT FITZPATRICK THROST IN FRONT OF HER AND TOLD HER TO INITIAL AND SIGN. AT VERY LEAST, SOUTHSIDE WAS GROSSLY NEGLIGENT, IF NOT AN ACTIVE CONSPIRATOR WITH POLICE TO HELP POLICE GET A SIGNATURE FROM SOMEONE WHO IN THAT STATE, TRAUMATIZED, POST ACCIDENT, HAVING FLASHBACKS, WAS ESSENTIALLY "TEMPORARILY INSANE".

JULIE SAID SHE SIGNED THE STATEMENT IN FEAR, SOUTHSIDE SHOULD'VE PROTECTED HER.

CLAIM
(34)

§1983

NEWSDAY

(GROUP #14)

1010 WINS RADIO

(GROUP #15)

CABLEVISION NEWS 12

(GROUP #16)

IN ENOUGH TIME TO MAKE THE EVENING NEWS, THE POLICE
ISSUED A PRESS RELEASE LABELING THIS 1:22 PM ACCIDENT
"DRUNK DRIVING" - WITHOUT A SHRED OF EVIDENCE TO
BACK UP THE CLAIM, BEFORE ANY INVESTIGATION. POLICE
 DID THIS TO POISON THE FUTURE GRAND JURY POOL.

ALL THE NAMED MEDIA OUTLETS PICKED UP THE STORY,
 ESSENTIALLY PRINTING/BROADCASTING IT WORD FOR WORD
 OFF THE POLICE PRESS RELEASE. ALL OF THE NAMED
 DEFENDANTS TOOK PART IN SPREADING AN UNCORROBOR-
ATED DEFAMATORY STORY, WITH NO BASIS IN FACT,
 WHICH CAUSED A FALSE INDICTMENT FOR AT VERY
 LEAST DRUNK DRIVING, IF NOT MANSLAUGHTER.

THE STORY IS DEVOID OF ANY FACTS BEYOND A
 CONCLUSORY LABEL OF DRUNK DRIVING, THAT WOULD BE
 TYPICAL OF SUCH AN ALLEGATION - NO "BLEW .22 ON
 THE BREATHLYZER, NO SMELL OF ALCOHOL, OR GLASSY
 EYES OR SLURRED SPEECH". THERE WAS NOT A SINGLE FACT
 TO VERIFY THE CLAIM OF DRUNK DRIVING.

FREEDOM OF SPEECH DOES NOT MEAN YOU CAN RUN
 INTO A CROWDED THEATER AND YELL "FIRE". IT ALSO
 DOESN'T MEAN YOU CAN REPEAT WHATEVER HEARSAY
 YOU HEAR BECAUSE "POLICE SAY". THE HALLMARK OF
 PUBLISHING IS YOU DON'T PUBLISH WITHOUT INDEPENDENT
 CONFIRMATION. THESE MEDIA CONSPIRED WITH POLICE
TO TAMPER WITH MY GRAND JURY/TRY ME IN THE PRESS.

CLAIM
(35)HOME PROPERTIES / SOUTHERN MEADOWS APTS (GROUP #17)

§1983

MORE THAN 24 HOURS POST ARREST, POLICE MADE AN ILLEGAL SEARCH OF MY HOME, CLAIMING TO BE LOOKING TO FIND PROBABLE CAUSE TO SUPPORT THE ARREST - IN ITSELF, AN OXYMORON. IT WAS REALLY AN EXCUSE FOR A FISHING EXPEDITION, IN MY HOME, 30 MILES FROM THE ARREST.

POLICE WENT TO THE BUILDING MANAGEMENT, CLAIMING TO HAVE A WARRANT THAT DIDNT EXIST. THE APARTMENT COMPLEX MANAGERS ORDERED MAINTENANCE SUPERVISOR WILLIAM FLORIO TO OPEN MY FRONT DOOR FOR POLICE, TO FACILITATE AN ILLEGAL SEARCH BASED ON A FALSE PREMISE. THE APARTMENT MANAGEMENT NEVER SAW ANY WARRANT BECAUSE IT DIDNT EXIST!

EVEN HAD A WARRANT BEEN PRODUCED, THE BUILDING HAD NO RIGHT TO LET THEM IN FOR TWO REASONS:

1. N.Y. REAL PROPERTY LAW ONLY ALLOWS ONE CIRCUMSTANCE FOR A LANDLORD TO ENTER A TENANT'S HOME WITHOUT THE TENANT'S PRESENCE - AN IMMEDIATE THREAT TO LIFE OR PROPERTY LIKE A FIRE OR FLOOD THAT MUST BE STOPPED INSTANTLY.
2. A WARRANT MUST BE SERVED ON THE PERSON WHO'S HOME OR PROPERTY IS TO BE SEARCHED, IT MUST DESCRIBE WHERE POLICE MAY SEARCH AND WHAT THEY ARE SEEKING.

POLICE WERE OBLIGATED BY LAW TO SERVE THE WARRANT ON US, AND SEARCH WITH OUR PRESENCE. SOUTHERN MEADOWS HAD NO STANDING TO CONSENT TO FACILITATE

CLAIM
(36)

A SEARCH OF OUR HOME, CONSPIRING WITH POLICE TO VIOLATE OUR 4TH AMENDMENT RIGHTS, (PROPERTY WAS SEIZED / STOLEN THAT HAD NOTHING TO DO WITH THE CLAIMED SCOPE OF THE SEARCH BY THE WAY.) SEE PEOPLE V DUNTO, 103 AD. 2d 573, (2ND DEPT 1984) AND RELATED CASES.

DISCRIMINATORY REFUSAL TO RENEW OUR LEASE

POLICE MADE SURE TO GIVE THE APARTMENT COMPLEX A COMPLETE RUNDOWN OF MY HISTORY AND WHAT I WAS ACCUSED OF. DESPITE OUR RENT ALWAYS BEING PAID - SUDDENLY WE WERE UNFIT TENANTS, AND THE BUILDING REFUSED TO RENEW OUR LEASE.

THEFT OF SECURITY FUNDS

WE GAVE 2 MONTHS SECURITY, A TOTAL OF \$2,320. THERE WERE SOME CIGARETTE BURNS IN THE CARPET, WHICH WOULD'VE REQUIRED REPLACING, AND 3 HOLES IN SHEETROCK FOR WHICH SPACKLING WAS NEEDED. I AM A TRAINED AUDITOR. THERE WAS NO MORE THAN \$820 DAMAGE. WE SHOULD'VE GOTTEN \$1,500 RETURNED.

THEY TOOK ADVANTAGE OF MY INCARCERATION AND REFUNDED \$348, CLAIMING THINGS LIKE "STOVE/OVEN UNCLEAN" (AND WE NEVER USED THE OVEN.). AN ANGRY LETTER PRODUCED A SECOND CHECK FOR \$345, TWO MONTHS LATER. MY DEMAND FOR A BREAKDOWN - IGNORED!

CLAIM
(37)

ILLEGAL REMOVAL OF MY TITLE TO SECURITY FUNDS

SINCE I WAS IN JAIL, DESPITE BOTH OUR NAMES BEING LISTED ON THE SECURITY ACCOUNT, SOUTHERN MEADOWS DECIDED I WAS NO LONGER ENTITLED TO MY PROPERTY (DEJA VU), AND ILLEGALLY REMOVED MY NAME FROM THE SECURITY FUNDS. THE FIRST CHECK WAS SENT TO JULIE, (WHICH SHE CASHED) WITHOUT MY NAME ON IT. AFTER MY ANGRY LETTER, THE SECOND CHECK LISTED US BOTH AS PAYEE, BUT ALSO WAS SENT TO JUNE. WORST OF ALL, OUR CONTRIBUTIONS WERE NOT EQUAL - I PUT IN 60-65% OF THE SECURITY FUNDS 1ST MONTH'S RENT. JULIE WASN'T EVEN ENTITLED TO HALF.

§1985(2) SUFFOLK COUNTY INTENSIVE CASE MANAGEMENT (I.C.M.) (GROUP #18)

§1983 OUTREACH DEVELOPMENT CORPORATION (GROUP #19)

JULIE HAS BEEN IN COUNSELING HER ENTIRE LIFE. SHE IS ONLY SEMI-FUNCTIONAL. SHE DOESN'T DRIVE. SHE RELIES ON I.C.M AND (BELLPORT) OUTREACH, HER COUNSELORS AND THERAPY HEAVILY. SHE FEARS LOSING THEIR SUPPORT AND SERVICES, WHICH SHE WILL DO IF SHE DOESN'T "FOLLOW THEIR PROGRAM." ALSO, SHE HAS BEEN TRAINED HER WHOLE LIFE TO OBEY HER THERAPISTS EDICTS. SHE IS VERY MALLEABLE TO THEIR "SUGGESTIONS".

BOTH OF THESE ENTITIES WERE AWARE OF JULIE'S ACTIONS CAUSING THE ACCIDENT, AND

CLAIM
(38)

HER WRITTEN CONFESSION, AND HER (CONFLICTED) PROMISE TO TESTIFY. AFTER I WENT TO JAIL, THEY ADVISED HER TO BREAK UP WITH ME, AND SEVER ALL TIES BECAUSE:

1. THEY BLAMED HER DRUG PROBLEMS ON ME (THERE'S YOUR CLASS BASED ONUS - DRUG USERS) AND TOLD HER THE CHARGES WERE MY PROBLEM AND SHE NEEDED TO CONCENTRATE ON HER RECOVERY.
2. IF SHE CONTINUED TO ADMIT HER ACTIONS, SHE WOULD BE CHARGED WITH MANSLAUGHTER AND GO TO PRISON.

JULIE AND I BOTH HAD DRUG HISTORIES FROM BEFORE WE MET, BUT THESE ENTITIES, AND THEIR EMPLOYEES, DECIDED THAT AS A DRUG USER, AND WHAT THEY VIEWED AS THE CAUSE OF JULIE'S USE, I GOT WHAT I DESERVED, AND GOT JULIE TO ABANDON ME TO HANG. THEY INTIMIDATED HER WITH THREATS OF BANISHMENT IF SHE DIDN'T DO AS THEY SAID - IT WAS WITNESS TAMPERING, THEY GAVE HER AN EXCUSE, AND ENCOURAGED A MATERIAL WITNESS IN A FELONY PROSECUTION TO NOT TESTIFY TO HER CONFESSION. IT WAS OBSTRUCTION OF JUSTICE, UNDER §1985(2).

THEFT OF SECURITY FUNDS (I.C.M ONLY) - I.C.M
LENT JULIE \$1,000 TOWARDS OUR SECURITY / FIRST MONTH. I PUT IN 60% AND JULIE DID 90% OF THE

CLAIM
(39)

DAMAGE TO OUR APARTMENT (ON PURPOSE, IN THE SAME KIND OF RAGE SHE WAS IN BEFORE THE ACCIDENT). SHE WAS ENTITLED TO MAYBE 10% OF ANY REFUND FROM SECURITY. I.C.M DECIDED SHE WAS GETTING HALF, AND WITHOUT MY NAME ON THE CHECK OF \$48, AND NO CONTROL FROM JAIL, THEY HELPED THEMSELVES TO OUR MONEY AND FORCIBLY RETRIEVED A PAYMENT ON THEIR LOAN FROM 70% OUT OF MY MONEY. (NOTICE A PATTERN OF EVERYONE TAKING MY MONEY AND PROPERTY WHILE I WAS HELPLESSLY CHAINED IN A JAIL CELL FIGHTING FALSE CHARGES?)

§1983 GLOBAL TEL-LINK (GROUP #20)

GLOBAL TEL-LINK ("GTL") PROVIDED PHONE SERVICE BY CONTRACT, TO THE JAIL'S INMATE PHONES. AS SUCH, THEY HOLD MY:

5TH, 6TH AMENDMENT RIGHT OF ACCESS TO THE COURT AND MY ATTORNEY

5TH AMENDMENT RIGHT TO COMMUNICATE WITH MY STAR WITNESS, WHO CONFESSED TO CAUSING THE ACCIDENT (JUNE)

1ST AMENDMENT RIGHT TO COMMUNICATE WITH MY GIRL WHO I LIVED WITH, AND FAMILY

GTL'S CONTRACT FOR THE TIME THROUGH MY PRE-TRIAL DETENTION OF 2007-2009 CALLED FOR UN-CONSCIONABLE RATES, THAT INCLUDED A KICKBACK

CHAIN
(40)

SCHEM⁰E OF 39% TO THE JAIL. THEY CHARGED \$4⁸⁰ PER FIFTEEN MINUTE CALL. THIS INCLUDED A \$2⁰⁰ CONNECTION FEE AND 19 CENTS / MINUTE.

THE ATTORNEY I HAD THE LONGEST, MY LAST 18-B ATTORNEY, DID NOT TAKE COLLECT CALLS. I, A LEGAL AID DEFENDANT, HAD TO PAY TO CALL MY ATTORNEY "PRE-PAID". ESSENTIALLY, GTL AND THE COUNTY JAIL CONSPIRED TO MAKE IT ECONOMICALLY UNFEASIBLE TO CALL MY ATTORNEY, AND UNDERMINING MY DEFENSE. THE JAIL MADE TWO DOLLARS OFF EVERY CALL REGARDING MY DEFENSE.

BUT GTL WASN'T JUST SATISFIED WITH THESE EXORBITANT RATES. THEY COMMITTED FRAUD TO EARN MORE. FOR EVERY \$25 BLOCK OF TIME PURCHASED, THEY CHARGED A \$4⁷⁵ "PROCESSING FEE". THEN, THEY'D CUT YOUR 15 MINUTE BLOCK CALL OFF IN THE MIDDLE, FORCING ANOTHER CONNECTION FEE. FINALLY, THEY'D JUST STEAL YOUR PRE-PAID BALANCE; YOU BUY \$25, GET A \$20²⁵ BALANCE (\$25 - 4⁷⁵ PROCESSING FEE). YOU USE ONE \$4⁸⁰ CALL. YOU SHOULD HAVE \$15⁴⁵ (\$20²⁵ - 4⁸⁰) THE NEXT DAY YOUR BALANCE WOULD BE \$3⁶⁷ 00 I ESTIMATE GTL STOLE HALF OF EVERY \$25, AND TWO THIRDS OF EVERY \$50 BLOCK. (REMEMBER - I'M AN ACCOUNTANT.) (I CAN PROVE THIS)

I HAD TO SPEND \$3,000 FOR EVERY \$1,000 OF CALLS TO MY ATTORNEY OVER A TWO YEAR PERIOD.

CLAIM
(41)

BLOCKING MY CALLS TO JULIE - GTL ASSUMES INMATES
 MUST BE UP TO NO GOOD. IF A CARD DOESN'T GO
 THROUGH WHEN PURCHASING PRE-PAID TIME WITH
 THE AUTOMATED SYSTEM, THEY PERMANENTLY BLOCK
THE CARD AND PHONE NUMBER FROM THEIR SYSTEM.
 THEY BLOCKED MY CALLS TO JULIE, WHO WAS NOT
 ONLY MY LIVE-IN GIRLFRIEND, BUT THE HEART OF
 MY DEFENSE, FROM MY ENTRY TO JAIL 9/17/2007
 TO 3/8/2008 - 6 MONTHS. WE BROKE UP 3/24/2008!
 I LOST MY GIRL AND MY DEFENSE.

JULIE HAS DYSLLEXIA. SHE ACCIDENTALLY OVER-DRAFTED
 MY ACCOUNT. THIS INNOCENT MISTAKE RESULTED IN A
 PERMANENT BLOCK. CUSTOMER SERVICE WAS A 2-3
 HOUR WAIT. SHE COULDN'T GET THROUGH. I COULDN'T
 CALL FROM JAIL. MY LETTERS WENT UNANSWERED
 BY GTL. IT TOOK 6 MONTHS TO FIX. BY THEN IT
 WAS TOO LATE.

ALL THE NAMED DEFENDANTS ARE RESPONSIBLE
FOR THESE BILLING AND POLICY PRACTICES
WHICH DEPRIVED ME OF MY CONSTITUTIONAL RIGHTS.

§1983 MYSPACE.COM (GROUP #21)

AT MY "VICTIM'S IMPACT STATEMENT", MARY JARVIS,
 THE VICTIM'S DAUGHTER, SAID SHE FOUND A MYSPACE
 PAGE IN MY NAME, THAT LISTED MY HOBBIES AS
 "GETTING WASTED AND KILLING OLD LADIES."
SOMEONE, PROBABLY THE SAME COPS WHO ISSUED
THE FALSE PRESS RELEASE TO FRAME ME,